

NOTICE OF OBJECTION TO CONFIRMATION

U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

File with the Court an answer, explaining your position at:

**Clerk
U.S. Bankruptcy Court
50 Walnut Street, 3rd Floor
Newark, NJ 07102**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054

MARIE-ANN GREENBERG, Trustee
30 TWO BRIDGES ROAD, SUITE 330
FAIRFIELD, NJ 07004

Attend the hearing scheduled to be held on 08/10/2017 in the NEWARK Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court
50 Walnut Street, 3rd Floor
Newark, NJ 07102**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: August 4, 2017

/s/ Michael Dingerdissen
Michael Dingerdissen, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 31614
Fax: 856-813-5501
Email: michael.dingerdissen@phelanhallinan.com

File No. 792432

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road
Mt. Laurel, NJ 08054
856-813-5500

FAX Number 856-813-5501

U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY
CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT

In Re:

RICKEY L. CRUMBLEY

Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE

Chapter 13

Case No. 17-13268 - JKS

Hearing Date: 08/10/2017

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT the holder of a Mortgage on debtor residence located at 121 SOUTH 14TH STREET, NEWARK, NJ 07107 hereby objects to the Confirmation of the Debtor's proposed Chapter 13 Plan on the following grounds:

1. On June 16, 2017, Movant filed a Proof of Claim listing pre-petition arrears in the amount of \$61,391.08.
2. Debtor's Modified Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5). Movant objects to Debtor's Modified Plan as it is underfunded. Debtor's Modified Plan should be amended to fully fund the arrears owed to Movant. Confirmation of Debtor's proposed Modified Plan should be denied.
3. Debtor's Modified Plan provides for the Debtor's pursuit of a loan modification. Debtor's Modified Plan is speculative in nature in that the Plan contemplates curing the arrears through a loan modification that has neither been offered nor approved.
4. Movant objects to the Debtor's Plan as Part 4 indicates that the post-confirmation payment is \$587.00 when in fact the actual post-petition payment is \$1,151.50. The Court should not allow the Plan be confirmed with this payment amount.

WHEREFORE, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT respectfully requests that the Confirmation of Debtor's Plan be denied.

/s/ Michael Dingerdissen

Michael Dingerdissen, Esq.

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

Tel: 856-813-5500 Ext. 31614

Fax: 856-813-5501

Email: michael.dingerdissen@phelanhallinan.com

Dated: August 4, 2017

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

792432
PHELAN HALLINAN DIAMOND & JONES, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
856-813-5500
Attorneys for U.S. BANK TRUST, N.A., AS
TRUSTEE FOR LSF9 MASTER PARTICIPATION
TRUST, BY CALIBER HOME LOANS, INC., AS
ITS ATTORNEY IN FACT

In Re:

RICKEY L. CRUMBLEY

Case No: 17-13268 - JKS

Hearing Date: _____

Judge: JOHN K. SHERWOOD

Chapter: 13

CERTIFICATION OF SERVICE

1. I, Kimberly Wilson:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On August 7, 2017 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: August 7, 2017

/s/ Kimberly Wilson
Kimberly Wilson

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
RICKEY L. CRUMBLEY 121 SOUTH 14TH STREET, NEWARK, NJ 07107	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
RUSSELL L. LOW, Esquire 505 MAIN STREET SUITE 304 HACKENSACK, NJ 07601	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
MARIE-ANN GREENBERG, Trustee 30 TWO BRIDGES ROAD, SUITE 330 FAIRFIELD, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.